Amendments to the Claims

This listing of claims will replace all prior versions, and listings of claims in the application.

LISTING OF CLAIMS:

1.-12. (Cancelled)

13.   (Currently Amended) A communication system comprising:

a communication terminal; and

a relay device that relays data communication between the communication terminal and a server;

the communication terminal comprising:

a communication unit;

a first storage unit configured to store an application program executable to communicate with the server via a network and the communication unit; and

a first processing unit configured to execute the application program to communicate with the server in accordance with the application program, to generate a communication request including application related information related to the application program, and to send the communication request to the server, the application related information including an application

identifier indicative of the application program and a first identifier indicative of a download source from which the application program was received by the communication terminal;

the relay device comprising:

a second storage unit configured to store regulation information to regulate the data communication requested by the communication request, the regulation information including the application identifier indicative of the application program stored in association with a second identifier indicative of an original source of the application program, the regulation information also including a traffic threshold; and

a second processing unit configured to receive the communication request from the communication terminal, wherein the second processing unit is further configured to relay the data communication in accordance with the regulation information stored in the second storage unit, and

the second processing unit is further configured to decrease an amount of data in the relayed data communication in response to the communication request satisfying a first condition and a second predetermined condition, the first condition being that traffic in the network is heavier than the traffic threshold included in the regulation information stored in the second storage unit, and the second predetermined condition comprising the download source, indicated in with the first identifier received in the communication

request, being identical to the original source indicated ~~with~~ in the second

identifier included in the regulation information.

14.   (Currently Amended) The communication system of Claim 13, wherein the

application related information includes communication identification information,

the communication identification information indicating, in a case that the

application program executed by the first processing unit is a specific type

application program, that the data communication is performed by the specific type

application program, and

the ~~predetermined~~ second condition further comprising that the application

related information <u>included in the communication request</u> includes the

communication identification information <u>indicating that the data communication is

performed by the specific type application program</u>.

15.   (Currently Amended) The communication system of Claim 13, wherein the

second storage unit is further configured to store first activation type information

indicating a first activation mode of the application program,

the   application   related   information   includes   second   activation   type

information indicating a second activation mode of the application program, and

the ~~predetermined~~ <u>second</u> condition further comprising that the second

activation mode indicated by the second activation type information included in the

application related information is equivalent to the first activation type information

stored in the second storage unit.

16.-17.   (Canceled)

18.   (Currently Amended) The communication system of Claim 13, wherein the

regulation information _further_ includes at least one of: a condition to regulate a

duration of the data communication; a condition to regulate an amount of the data

communication, a condition to regulate an amount of traffic, and a condition to

regulate a communication frequency of the data communication, or a combination

thereof.

19.   (Canceled)

20.   (Currently Amended)   A relay device for relaying data communication

between a communication terminal and a server; the relay device comprising:

        a first storage unit configured to store regulation information to regulate the

data communication in response to a communication request received from a

communication terminal, the communication request including an application

identifier indicative of an application program and a first identifier indicative of a

download source from which the application program was downloaded to the communication terminal;

the stored regulation information including <u>a traffic threshold and</u> the application identifier indicative of the application program stored in association with a second identifier indicative of a predetermined original provider of the application program; and

a processing unit configured to receive the communication request from the communication terminal and ~~invoke a guideline for the data communication between the communication terminal and the server in response to the communication request satisfying a predetermined condition,~~ <u>confirm a first condition and a second condition are satisfied, the first condition being that a level of traffic through the relay device exceeds the traffic threshold, and</u> the <u>second</u> ~~predetermined~~ condition comprising the download source indicated with the first identifier received in the communication request being identical to the predetermined original provider indicated with the second identifier included in the stored regulation information; and

the processing unit further configured<u>, in response to the communication request satisfying the first condition and the second condition,</u> to invoke ~~the~~ <u>a</u> guideline <u>for the data communication between the communication terminal and the server</u> and relay the data communication in accordance with the regulation information stored in the first storage unit.

21.   (Currently Amended)   The relay device of Claim 20, wherein the communication request comprises communication identification information, the communication identification information indicating a specific type of the application program being executed by the communication terminal to generate the communication request, and

wherein, the ~~predetermined~~ second condition further comprises that the communication request includes the communication identification information indicating the specific type of the application program.

22.   (Currently Amended) The relay device of Claim 20, wherein the first storage unit is further configured to store first activation type information indicating a first activation mode of the application program resident on the communication terminal, wherein

the communication request includes second activation type information indicating a second activation mode of the application program, and

the ~~predetermined~~ second condition further comprising that the second activation mode indicated by the second activation type information is equivalent to the first activation type information stored in the first storage unit.

23.-24.   (Canceled)

25.   (Previously Presented) The relay device of Claim 20, wherein the regulation information includes at least one of: a condition to regulate a duration of the data communication; a condition to regulate an amount of the data communication, a condition to regulate an amount of traffic, and a condition to regulate a communication frequency of the data communication, or a combination thereof.

26.   (Canceled)

27.   (Currently Amended) A method in a communication system that includes a communication terminal and a relay device that relays data communication between the communication terminal and a server, the communication terminal including a communication unit and a first storage unit configured to store an application program executable to communicate with the server via a network and the communication unit, the relay device including a second storage unit configured to store regulation information for regulating the data communication in response to a communication request, the method comprising:

generating, with the communication terminal, the communication request to include application related information related to the application program, the application related information including an application identifier indicative of the

application program and a first identifier indicative of a download source from

which the application program was received by the communication terminal;

sending, with the communication terminal, the communication request to the

server;

receiving, with the relay device, the communication request from the

communication terminal;

comparing the communication request to the stored regulation information

with the relay server, the stored regulation information including a traffic threshold

and the application identifier indicative of the application program stored in

association with a second identifier indicative of an original provider of the

application program;

confirming with the relay device that a first condition and a second condition

are satisfied, the first condition being that traffic in the network is heavier than the

traffic threshold included in the stored regulation information, and the second

condition comprising the download source indicated with the first identifier received

in the communication request being identical to the original provider indicated with

the second identifier included in the stored regulation information; and

invoking a constraint of the data communication between the communication

terminal and the server with the relay device, if the communication request

satisfies the first condition and the second condition, a predetermined condition, the

predetermined condition comprising the download source indicated with the first

~~identifier received in the communication request being identical to the original~~

~~provider indicated with the second identifier included in the regulation information,~~

the constraint of the data communication invoked by the relay device in accordance

with the regulation information stored in the second storage unit.

28.   (Currently Amended)   The method of Claim 27, wherein the application

related information includes communication identification information, the

communication identification information indicating, in a case that the application

program executed by the communication terminal is a specific type of application

program, that the data communication is performed by the specific type of

application program, and

    ~~the predetermined~~ confirming the second condition is satisfied further

~~comprising~~ comprises confirming that the application related information includes

the   communication   identification   information   indicating   that   the   data

communication is performed by the specific type of application program.

29.   (Currently Amended)   The method of Claim 27, further comprising storing

first activation type information indicating a first activation mode in the second

storage unit included in the relay device, wherein

    the application related information includes a second activation type

information indicating a second activation mode of the application program, and

the predetermined confirming the second condition is satisfied further comprising comprises confirming that the second activation mode indicated by the second activation type information included in the application related information is equivalent to the first activation type information stored in the second storage unit.

30.-31.   (Canceled)

32.   (Currently Amended)   The method of Claim 27, wherein the regulation information further includes at least one of: a condition to regulate a duration of the data communication; a condition to regulate an amount of the data communication, a condition to regulate an amount of traffic, and a condition to regulate a communication frequency of the data communication, or a combination thereof.

33.   (Canceled)

34.   (Currently Amended) The communication system of Claim 13, wherein the second processing unit is further configured to transmit a response message to the communication terminal in response to the communication request satisfying the predetermined first and second conditions, the response message comprising an instruction to the communication terminal to regulate the data communication

between the communication terminal and the server in accordance with the regulation information.

35.   (Previously Presented) The relay device of Claim 20, wherein the processing unit is further configured to transmit a response message to the communication terminal in response to the communication request, the response message comprising the guideline for the data communication between the communication terminal and the server.

36.   (Previously Presented) The method of Claim 27, wherein invoking a constraint of data communication between the communication terminal and the server comprises the relaying device transmitting a response message to the communication terminal in response to the communication request, the response message comprising communication regulation information to constrain the communication terminal with regard to data communication with the server.

37.   (Previously Presented) The communication system of Claim 13, wherein the first identifier indicative of the download source identifies a first server, and the second identifier indicative of the original source of the application program also identifies the first server.

38.   (Currently Amended)   The communication system of Claim 13, wherein the ~~predetermined~~ <u>second</u> condition further comprises that the application identifier is identical in the application related information and the regulation information.

39.   (Currently Amended)   The communication system of Claim 13, wherein the second processing unit is further configured to relay the data communication <u>without regard to the first condition or the second condition</u> in response to the communication request failing to satisfy ~~the predetermined~~ <u>an initial predetermined condition of the application program being a specific type of application program</u>.

40.   (Previously Presented)   The relay device of Claim 20, wherein the first identifier indicative of the download source identifies a first server, and the second identifier indicative of the predetermined original provider of the application program also identifies the first server.

41.   (Previously Presented)   The method of Claim 27, wherein comparing the communication request to the stored regulation information comprises the step of confirming that a first server identified by the first identifier is also identified by the second identifier.